

108TH CONGRESS
1ST SESSION

S. 1479

To amend and extend the Irish Peace Process and Cultural Training Program
Act of 1998.

IN THE SENATE OF THE UNITED STATES

JULY 29 (legislative day, JULY 21), 2003

Mr. SCHUMER introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To amend and extend the Irish Peace Process and Cultural
Training Program Act of 1998.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT AND EXTENSION OF IRISH PEACE**

4 **PROCESS CULTURAL AND TRAINING PRO-**
5 **GRAM.**

6 (a) IRISH PEACE PROCESS CULTURAL AND TRAIN-
7 ING PROGRAM ACT.—

8 (1) PROGRAM PARTICIPANT REQUIREMENTS.—

9 Section 2(a) of the Irish Peace Process Cultural and

1 Training Program Act of 1998 (8 U.S.C. 1101 note)
2 is amended by adding at the end the following:

3 “(5) PROGRAM PARTICIPANT REQUIREMENTS.—
4 An alien entering the United States as a participant
5 in the program shall satisfy the following require-
6 ments:

7 “(A) The alien shall be a citizen of the
8 United Kingdom or the Republic of Ireland.

9 “(B) The alien shall be between 21 and 35
10 years of age on the date of departure for the
11 United States.

12 “(C) The alien shall have resided continu-
13 ously in a designated county for not less than
14 6 months before such date.

15 “(D) The alien shall have been continu-
16 ously unemployed for not less than 6 months
17 before such date.

18 “(E) The alien may not have a degree
19 from an institution of higher education.”.

20 (2) EXTENSION OF PROGRAM.—Section 2 of the
21 Irish Peace Process Cultural and Training Program
22 Act of 1998 (8 U.S.C. 1101 note) is amended—

23 (A) in subsection (a)(3), by striking “the
24 third program year and for the 4 subsequent
25 years,” and inserting “each program year,”;

1 (B) by amending subsection (d)(1) to read
 2 as follows:

3 “(1) Effective October 1, 2008, this Act is re-
 4 pealed, except for subsection (a)(3), which is re-
 5 pealed effective October 1, 2009.”; and

6 (C) in subsection (d)(2), by striking
 7 “2006,” and inserting “2008.”.

8 (3) TECHNICAL AMENDMENTS.—The Irish
 9 Peace Process Cultural and Training Program Act
 10 of 1998 (8 U.S.C. 1101 note) is amended—

11 (A) by striking “Attorney General” each
 12 place such term appears and inserting “Sec-
 13 retary of Homeland Security”; and

14 (B) by striking “Immigration and Natu-
 15 ralization Service” each place such term ap-
 16 pears and inserting “Department of Homeland
 17 Security”.

18 (b) IMMIGRATION AND NATIONALITY ACT.—

19 (1) REQUIREMENTS FOR NONIMMIGRANT STA-
 20 TUS.—Section 101(a)(15)(Q) of the Immigration
 21 and Nationality Act (8 U.S.C. 1101(a)(15)(Q)) is
 22 amended—

23 (A) by striking “Attorney General” each
 24 place such term appears and inserting “Sec-
 25 retary of Homeland Security”; and

1 (B) in clause (ii)(I)—

2 (i) by striking “35 years of age or
3 younger having a residence” and inserting
4 “citizen of the United Kingdom or the Re-
5 public of Ireland, 21 to 35 years of age,
6 unemployed for not less than 6 months,
7 and having a residence for not less than 6
8 months”; and

9 (ii) by striking “36 months)” and in-
10 serting “24 months)”.

11 (2) FOREIGN RESIDENCE REQUIREMENT.—Sec-
12 tion 212 of the Immigration and Nationality Act (8
13 U.S.C. 1182) is amended—

14 (A) by redesignating the subsection (p) as
15 added by section 1505(f) of Public Law 106–
16 386 (114 Stat. 1526) as subsection (s); and

17 (B) by adding at the end the following:

18 “(t)(1) Except as provided in paragraph (2), no per-
19 son admitted under section 101(a)(15)(Q)(ii)(I), or ac-
20 quiring such status after admission, shall be eligible to
21 apply for nonimmigrant status, an immigrant visa, or per-
22 manent residence under this Act until it is established that
23 such person has resided and been physically present in the
24 person’s country of nationality or last residence for an ag-

1 gregate of at least 2 years following departure from the
2 United States.

3 “(2) The Secretary of Homeland Security may waive
4 the requirement of such 2-year foreign residence abroad
5 if the Secretary determines that—

6 “(A) departure from the United States would
7 impose exceptional hardship upon the alien’s spouse
8 or child (if such spouse or child is a citizen of the
9 United States or an alien lawfully admitted for per-
10 manent residence); or

11 “(B) the admission of the alien is in the public
12 interest or the national interest of the United
13 States.”.

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